

COTTONWOOD HEIGHTS

ORDINANCE NO. 354

AN ORDINANCE AMENDING SECTIONS 11.22.130 AND 11.22.140 OF THE COTTONWOOD HEIGHTS CODE OF ORDINANCES CONCERNING GUEST PERMITS IN PERMIT PARKING AREAS

WHEREAS, effective 14 January 2005, the city council (the “*Council*”) of the city of Cottonwood Heights (the “*City*”) adopted a code of ordinances (the “*Code*”) for the City; and

WHEREAS, the Council met in regular session on 19 January 2021 to consider, among other things, amending Sections 11.22.130 and 11.22.140 of the Code concerning the issuance and use of guest permits in the City’s permit parking areas; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interest of the health, safety and welfare of the citizens of the City to so amend Sections 11.22.130 and 11.22.140 of the Code as proposed;

NOW, THEREFORE, BE IT ORDAINED by the city council of the city of Cottonwood Heights as follows:

Section 1. **Adoption of Amended Sections 11.22.130 and 11.22.140**. The Council hereby amends Sections 11.22.130 and 11.22.140 (collectively, the “*Sections*”) of the Code as shown on the attached exhibit, which shows deletions to the current Sections ~~struck through~~ or otherwise shown as deletions, and additions to the current Sections underlined or otherwise shown as additions.

Section 2. **Action of Officers**. All actions of the officers, agents and employees of the City that are in conformity with the purpose and intent of this ordinance (this “*Ordinance*”), whether taken before or after the adoption hereof, are hereby ratified, confirmed and approved.

Section 3. **Severability**. It is hereby declared that all parts of this Ordinance are severable, and if any section, paragraph, clause or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable, the invalidity or unenforceability of any such section, paragraph, clause or provision shall not affect the remaining sections, paragraphs, clauses or provisions of this Ordinance.

Section 4. **Repealer**. All ordinances or parts thereof in conflict with this Ordinance are, to the extent of such conflict, hereby repealed.

Section 5. **Effective Date**. This Ordinance, assigned no. 354, shall take effect as soon as it shall be published or posted as required by law and deposited and recorded in the office of the City’s Recorder, or such later date as may be required by Utah statute.

PASSED AND APPROVED this 19th day of January 2021.

ATTEST:

COTTONWOOD HEIGHTS CITY COUNCIL

By: 
Paula Melgar, Recorder



By: 
Michael J. Peterson, Mayor

VOTING:

Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Douglas Petersen	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tali C. Bruce	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Christine Watson Mikell	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the Recorder's office this 19th day of January 2021.

POSTED this 20 day of January 2021.

11.22.130 Guest permits.

A. The community development director is authorized to issue guest permits to residents and businesses located within designated permit areas for use of their occasional bona fide transient visitors, service persons, and construction personnel for a limited duration not to exceed 45 days. Prior to expiration, a vehicle bearing a guest permit shall have all the parking rights, obligations and privileges given to area permittees.

B. Each property within a residential permit parking area established by the city council shall be issued two guest permits at the time that such property's area regular permit is issued. Issuance of guest permits for properties within a commercial permit parking area shall be as determined by the city council during creation of such area. The city council may, in its discretion, modify provisions for guest permits either during consideration of a new permit parking area or after giving at least ten days' prior written notice to the properties within the affected permit parking area.

C. Guest permits are not transferrable. Each guest permit shall include on its face such identifying information as the city deems appropriate to identify the permit and to tie its use to a particular property. If a guest permit is lost, issuance of a replacement shall be subject to the city's reasonable requirements, including, without limitation, payment of an administrative fee to cover the city's cost to cancel the lost permit and to issue the replacement.

D. The city's manager is authorized and directed to cause the city's administrative staff to formulate and adopt such administrative policies, procedures and fee schedules as the manager deems appropriate in furtherance of this section.

11.22.140 Parking permit—Revocation conditions.

A. Faithful compliance with the terms of the permit program is a condition subsequent to the privilege of obtaining an area regular permit or guest permit. Violation of the terms of the city permit program shall be deemed a forfeiture of those privileges.

1. Any person holding an area regular permit or guest permit that is convicted of a violation of this chapter may be required to surrender such permit as a part of sentencing.

2. The community development director is authorized to revoke an area regular permit or guest permit of any person found to be in violation of this chapter, and upon written notification thereof, the person shall surrender such permit to the community development director. Failure, when so requested, to surrender such a permit so revoked shall constitute an infraction.

3. In the event the community development director has good cause to believe that any person or entity is abusing the visitor permit system, he shall so notify such person abusing the visitor permit system. Any further application for a visitor permit by such person found abusing the visitor permit system may be denied for a period of not more than one year.

B. Any person aggrieved by such a determination made by the community development director under subsections (A)(2) and (A)(3) of this section shall have the right to appeal to the city manager ~~mayor~~ within ten ~~seven~~ days after such determination.